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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12
13 UNITED STATES OF AMERICA,) No. CR 07-0641 SI
14 Plaintiff,)
15 v.) [PROPOSED] ORDER DOCUMENTING
16 MINH DANG,) EXCLUSION OF TIME
17 Defendant.)
18

19 With the agreement of the parties in open court on October 25, 2007, and with the
20 consent of the defendant Minh Dang (“defendant”), the Court enters this order (1) setting
21 a hearing on November 2, 2007 at 11:00 a.m. before the Honorable Susan Illston and
22 (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161,
23 from October 25, 2007 to November 2, 2007. The Court finds and holds, as follows:

24 1. The defendant made his initial appearance before the Court on October 25,
25 2007. Counsel advised the Court on that date that the government would be producing
26 discovery to the defense. Counsel for the defendant, Steven Kalar, needs time to review
27 the discovery and to investigate the case. Continuing the case until November 2, 2007
28 will give the defendant an opportunity to accomplish this objective.

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2. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until November 2, 2007 is necessary for effective preparation of defense counsel and for continuity of defense counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from October 25, 2007 to November 2, 2007 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court (1) sets a hearing for November 2, 2007 at 11:00 a.m. before the Honorable Susan Illston and (2) orders that the period from October 25, 2007 to November 2, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO ORDERED.

DATED:

EDWARD M. CHEN
United States Magistrate Judge